



House of Representatives

File No. 688

General Assembly

February Session, 2004

(Reprint of File No. 505)

Substitute House Bill No. 5031
As Amended by House
Amendment Schedules "A" and "B"

Approved by the Legislative Commissioner
April 30, 2004

**AN ACT REVISING CERTAIN LAWS OF THE DEPARTMENT OF
TRANSPORTATION.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (h) of section 13a-73 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2004*):

4 (h) All sales or exchanges of surplus property by the Department of
5 Transportation and matters dealing with the initial acquisition of any
6 existing mass transit system or the purchase or sale of properties
7 acquired in connection with any state highway system or mass transit
8 system shall be subject to review and approval of the State Properties
9 Review Board except that those acquisitions and administrative
10 settlements relating to such properties which involve sums not in
11 excess of [one] five thousand dollars shall be reported to the board by
12 the Commissioner of Transportation but shall not be subject to such
13 review and approval. The Commissioner of Public Works shall be
14 informed for inventory purposes of any transfer effectuated in
15 connection with this section. The State Properties Review Board shall

16 not grant such approval if the Department of Transportation has failed
17 to comply with any applicable statutes in connection with the
18 proposed action.

19 Sec. 2. Section 4 of public act 03-115 is repealed and the following is
20 substituted in lieu thereof (*Effective from passage*):

21 Bridge number 007773, commonly known as the West Rock Tunnel
22 in New Haven shall be designated the ["Hero's"] "Heroes Tunnel".

23 Sec. 3. Section 7 of public act 03-115 is repealed and the following is
24 substituted in lieu thereof (*Effective from passage*):

25 A segment of Route 349 in Groton shall be [redesignated]
26 designated as the "William J. Snyder, Sr. Memorial Highway".

27 Sec. 4. Section 84 of public act 03-115 is repealed and the following is
28 substituted in lieu thereof (*Effective from passage*):

29 Bridge number [3485] 1743A located in the town of West Hartford
30 on Interstate 84 overpassing [Woodruff Road] SR 535 shall be
31 designated the "Patrick L. Brooks Memorial Bridge".

32 Sec. 5. Section 89 of public act 03-115 is repealed and the following is
33 substituted in lieu thereof (*Effective from passage*):

34 Route 173 in the town of West Hartford from SR 529 northerly to the
35 junction [for Route 4] of Route 71 in the Town of West Hartford shall
36 be designated the "Trooper Carl P. Moller Memorial Highway".

37 Sec. 6. Section 13b-200 of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective from passage*):

39 (a) The Commissioner of Transportation shall, at the commissioner's
40 discretion, examine the several railroads in the state [once in each year,
41 and more often] when he deems that public safety so requires, and
42 shall make a like examination of any railroad within the limits of any
43 town, when so requested in writing by the selectmen of such town or

44 by the authorities having control and supervision of the streets and
45 highways within the town, and shall see that such railroads are kept in
46 suitable repair and that the companies operating them faithfully
47 comply with all provisions of law. The employees of the Department
48 of Transportation shall have the right to pass free of charge, in the
49 performance of their duties, on all railroads in the state.

50 (b) The commissioner or his employees may enter [, at times of
51 emergency,] any building, car or other premises owned or controlled
52 by any railroad company. Any person interfering with an employee of
53 the Department of Transportation in the performance of his duties
54 shall be fined not more than two hundred dollars or imprisoned not
55 more than six months or both.

56 Sec. 7. Subsection (a) of section 13a-252 of the general statutes, as
57 amended by section 40 of public act 03-3 of the June 30 special session,
58 section 210 of public act 03-6 of the June 30 special session and section
59 8 of public act 03-1 of the September 8 special session, is repealed and
60 the following is substituted in lieu thereof (*Effective from passage*):

61 (a) The ferries crossing the Connecticut River, known as the Rocky
62 Hill ferry and the Chester and Hadlyme ferry, shall be maintained and
63 operated by the Commissioner of Transportation at the expense of the
64 state. The rates of toll or the charges to be made for travel upon said
65 ferries shall be fixed by the commissioner with the approval of the
66 Secretary of the Office of Policy and Management. [, except that, after
67 August 20, 2003, the rate of toll or charge shall be (1) for a motor
68 vehicle and operator five dollars, (2) for each additional passenger one
69 dollar and seventy-five cents, and (3) for each walk-on and bicycle one
70 dollar and seventy-five cents.] The commissioner may establish a
71 discounted commuter rate for travel upon said ferries.

72 Sec. 8. Subsection (a) of section 14-262 of the general statutes is
73 repealed and the following is substituted in lieu thereof (*Effective*
74 *October 1, 2004*):

75 (a) The following vehicles shall not be operated upon any highway

76 or bridge without a special written permit from the Commissioner of
77 Transportation, as provided in section 14-270, as amended by this act,
78 specifying the conditions under which they may be so operated:

79 (1) A vehicle, combination of vehicle and trailer or commercial
80 vehicle combination, including each such vehicle's load, which is
81 wider than one hundred two inches or its approximate metric
82 equivalent of two and six-tenths meters or one hundred two and
83 thirty-six-hundredths inches, including its load, but not including the
84 following safety devices: Reasonably sized rear view mirrors, turn
85 signals, steps and handholds for entry and egress, spray and splash
86 suppressant devices, load-induced tire bulge and any other state-
87 approved safety device which the Commissioner of Transportation
88 determines is necessary for the safe and efficient operation of such a
89 vehicle or combination, provided no such state-approved safety device
90 protrudes more than three inches from each side of the vehicle or
91 provided no such device has by its design or use the capability to carry
92 cargo. Such permit shall not be required in the case of (A) farm
93 equipment, (B) a vehicle or combination of vehicle and trailer loaded
94 with hay or straw, (C) a school bus equipped with a folding stop sign
95 or exterior mirror, as approved by the Commissioner of Motor
96 Vehicles, which results in a combined width of bus and sign or bus
97 and mirror in excess of that established by this subsection, or (D) a
98 trailer designed and used exclusively for transporting boats when the
99 gross weight of such boats does not exceed four thousand pounds; and

100 (2) A combination of truck and trailer which is longer than [sixty]
101 sixty-five feet except (A) a combination of truck and trailer or tractor
102 and semitrailer loaded with utility poles, both trailer and semitrailer
103 having a maximum length of forty-eight feet, utility poles having a
104 maximum length of fifty feet and the overall length not to exceed
105 eighty feet, (B) a trailer designed and used exclusively for transporting
106 boats when the gross weight of such boats does not exceed four
107 thousand pounds, (C) a tractor-trailer unit, (D) a commercial vehicle
108 combination, (E) combinations of vehicles considered as specialized
109 equipment in [the Code of Federal Regulations, Title 23, Part 658.13(d)]

110 23 CFR 658.13(e), as amended, or (F) a tractor equipped with a
111 dromedary box operated in combination with a semitrailer which
112 tractor and semitrailer do not exceed seventy-five feet in overall
113 length.

114 Sec. 9. Subsection (d) of section 14-270 of the general statutes is
115 repealed and the following is substituted in lieu thereof (*Effective*
116 *October 1, 2004*):

117 (d) (1) The owner or lessee of any vehicle may pay either a fee of
118 twenty-three dollars for each permit issued for such vehicle under this
119 section or a fee as described in subdivision (3) for such vehicle, payable
120 to the Department of Transportation. (2) An additional transmittal fee
121 of three dollars shall be charged for each permit issued under this
122 section and transmitted via transceiver or facsimile equipment. (3) The
123 commissioner may issue an annual permit for any vehicle transporting
124 (A) a divisible load, (B) an overweight or oversized-overweight
125 indivisible load, or (C) an oversize indivisible load. The owner or
126 lessee shall pay an annual fee of seven dollars per thousand pounds or
127 fraction thereof for each such vehicle. A permit may be issued in any
128 increment up to one year, provided the owner or lessee shall pay a fee
129 of one-tenth of the annual fee for such vehicle for each month or
130 fraction thereof. (4) The annual permit fee for any vehicle transporting
131 an oversize indivisible load shall not be less than five hundred dollars.
132 (5) The commissioner may issue permits for divisible loads in the
133 aggregate not exceeding fifty-three feet in length.

134 Sec. 10. Section 13a-57 of the general statutes, as amended by section
135 27 of public act 03-115, is repealed and the following is substituted in
136 lieu thereof (*Effective from passage*):

137 The commissioner may lay out any road as a state highway either
138 by using existing highways or by acquiring by purchase or
139 condemnation new rights-of-way. The layout shall be made in the
140 following manner: The commissioner shall develop a map or maps of
141 the layout of a state highway by ground survey or aerial

142 photogrammetric methods. Such map or maps shall show the limits of
143 the right-of-way, all existing roads, buildings [,] and fences and other
144 topographic features which will clearly establish the location of the
145 highway. The commissioner shall file in the town clerk's office in each
146 town in which such layout or portion thereof is established a map
147 showing such portions of such layout within the limits of any such
148 town in which such map is filed. When such maps of any section or
149 sections of such highway have been so filed, the commissioner shall
150 cause a notice to be inserted in a newspaper having a general
151 circulation within each of such towns describing the action of the
152 commissioner concerning the layout of such highway. When such
153 maps have been placed on file and such notice given, such portion or
154 section shall be deemed to have been legally laid out as a state
155 highway and all provisions of the general statutes relating to state
156 highways shall apply to such layout or highway. This section shall not
157 affect the authority of the commissioner to relocate any section of any
158 state highway as provided in section 13a-56.

159 Sec. 11. Section 13b-55 of the general statutes, as amended by section
160 55 of public act 03-115, is repealed and the following is substituted in
161 lieu thereof (*Effective from passage*):

162 The commissioner may sell and convey any land, right in land,
163 riparian right or other property or right in property, of whatever kind,
164 that the commissioner may acquire pursuant to section 13b-53, which
165 is in excess of the quantity required for the purpose for which it was
166 acquired, and [to] may execute and deliver appropriate conveyances of
167 such property in behalf of the state. No such sale or conveyance shall
168 be made without the prior consent of the Secretary of the Office of
169 Policy and Management and the Commissioner of Public Works and
170 the State Properties Review Board.

171 Sec. 12. Subdivision (4) of section 13b-57d of the general statutes, as
172 amended by section 1 of public act 03-4 of the June 30 special session,
173 is repealed and the following is substituted in lieu thereof (*Effective*
174 *from passage*):

175 (4) "Strategy" means the transportation projects and supporting
176 documentation contained in the report dated January, 2003, submitted
177 by the board in accordance with subdivision (3) of subsection (k) of
178 section 13b-57g, as amended, and any updates or revisions to such
179 transportation projects.

180 Sec. 13. Subsection (b) of section 3 of public act 03-4 of the June 30
181 special session is repealed and the following is substituted in lieu
182 thereof (*Effective from passage*):

183 (b) The following TSB projects shall be completed:

184 (1) In the Coastal Corridor TIA, as defined in section 13b-57d, as
185 amended:

186 (A) Acquire rolling rail stock, as deemed appropriate by the board,
187 sufficient to add no fewer than two thousand seats for the Metro
188 North-New Haven Line for use in both interstate and intrastate
189 service. All payments received by the state pursuant to any agreement
190 entered into in accordance with subsection (h) of section 13b-34
191 involving rolling rail stock used on the Metro North-New Haven Line
192 shall be used exclusively for refurbishing rolling rail stock on and
193 other capital improvements to the Metro North-New Haven Line;

194 (B) Construct or expand stations at Bridgeport, New Haven and
195 Stamford that can accommodate rail service and one or more other
196 modes of transportation and have:

197 (i) Facilities for one thousand or more parking spaces;

198 (ii) Connections to bus and other transit systems;

199 (iii) Opportunity for community revitalization;

200 (iv) Opportunity for transit oriented development;

201 (v) Ease of auto, bus, bicycle and pedestrian access to the station
202 facility;

203 (vi) Potential to attract sufficient riders to support additional
204 express trains;

205 (vii) Operation under control of the state; and

206 (viii) Feeder bus services for passenger rail service;

207 (C) Facilitate use of the Long Island Sound Waterway for passenger
208 and freight movement, including, but not limited to, bulkheading and
209 dredging, upon removal of prohibitions imposed by federal law,
210 expanding passenger facilities, including facilities at the Bridgeport
211 Intermodal Facility, to support high speed ferry service; and

212 (2) In the I-84 Corridor TIA, as defined in section 13b-57d, as
213 amended:

214 (A) Establish express bus services from New Haven to Bradley
215 International Airport;

216 (B) Complete the New Britain to Hartford busway and establish
217 other bus rapid transit or light rail service in Hartford and
218 surrounding towns; and

219 (C) Expand rail passenger service on the Norwalk to Danbury-New
220 Milford Branch Line to assist commuter movement on Route 7 and I-
221 95; [.] and

222 (3) In the I-91 Corridor TIA, as defined in section 13b-57d, as
223 amended:

224 (A) Upgrade or construct maintenance facilities and parking
225 facilities and upgrade feeder bus services for passenger rail service,
226 particularly along the Metro North-New Haven Line; and

227 (B) Establish bus service or commuter rail service, as determined in
228 the Hartford-Springfield-New Haven Implementation Study
229 conducted by the department, that runs through New Haven, Hartford
230 and Springfield, with a connection to Bradley International Airport; [.]

231 and

232 (4) In the I-395 Corridor TIA, as defined in section 13b-57d, as
233 amended:

234 (A) Establish rail freight service with connections to the port of New
235 London;

236 (B) Expand the frequency of bus service, number of runs and
237 connections within and outside of the region, particularly in and to
238 Norwich and New London and acquire buses sufficient to add no
239 fewer than two hundred seats; and

240 (C) Design and plan for traffic mitigation in southeastern
241 Connecticut, including planning for the extension of Route 11 from its
242 terminus in Salem to the I-95 and I-395 intersect, with appropriate
243 greenway purchases made in accordance with section 13a-142e; [.] and

244 (5) In the Southeast Corridor TIA, as defined in section 13b-57d, as
245 amended:

246 (A) Acquire rolling rail stock for the Shoreline East Railroad Line
247 sufficient to add no fewer than one thousand seats;

248 (B) Make operational improvements to highways that improve the
249 flow of traffic on I-95 and I-395; and

250 (6) State-wide:

251 (A) Improve and target marketing by the department of the Deduct-
252 a-Ride program to all eligible employers; and

253 (B) Continue funding the Jobs Access Program.

254 Sec. 14. Section 15 of public act 03-4 of the June 30 special session is
255 repealed and the following is substituted in lieu thereof (*Effective from*
256 *passage*):

257 There [is] are hereby authorized bonds and bond anticipation notes

258 to be issued under and in accordance with the provisions of sections
 259 13b-74 to 13b-77, inclusive, as amended, for the purposes of funding of
 260 the projects and purposes described in section 3 of [this act] public act
 261 03-4 of the June 30 special session, as amended by this act, as those
 262 projects and purposes may be modified, including, but not limited to,
 263 the costs of issuance and required reserves which authorizations shall
 264 not exceed the following aggregate amounts:

T1	Authorized Funding Amounts	
T2	Fiscal Year	Amount
T3	2004	\$ 32,423,000
T4	2005	\$ 35,125,000
T5	2006	\$ 32,526,000
T6	2007	\$ 26,528,000
T7	2008	\$ 25,530,000
T8	2009	\$ 25,532,000
T9	2010	\$ 23,533,000
T10	2011	\$ 22,535,000
T11	2012	\$ 21,537,000
T12	2013	\$ 20,538,000
T13	Total	\$264,807,000

265 Such projects and purposes shall be funded by the use of any federal
 266 revenue, grants or other transportation related financial assistance
 267 which may be available, the issuance of special tax obligation bonds, as
 268 more particularly described in sections 13b-74 to 13b-77, inclusive, as
 269 amended, and, where appropriate, cash from incremental revenues.
 270 Not more than one million dollars of such amounts may be made
 271 available to fund the operations of the Transportation Strategy Board
 272 for fiscal years ending June 30, 2004, and June 30, 2005.

273 Sec. 15. Subdivision (6) of subsection (b) of section 13b-74 of the
 274 general statutes, as amended by section 18 of public act 03-4 of the June
 275 30 special session, is repealed and the following is substituted in lieu

276 thereof (*Effective from passage*):

277 (6) Planning, acquisition, removal, construction, equipping,
278 reconstruction, repair, rehabilitation and improvement of, and
279 acquisition of easements and rights-of-way with respect to, projects
280 and purposes included in section 3 of [this act] public act 03-4 of the
281 June 30 special session, as amended by this act, which have been
282 approved for financing with special tax obligation bonds or notes as
283 provided in the annual financing plan of [such board] the
284 Transportation Strategy Board, as described in section 17 of [this act]
285 public act 03-4 of the June 30 special session, as well as related
286 financing costs, including, without limitation, costs of issuance and
287 required reserves.

288 Sec. 16. Subsection (e) of section 13b-103 of the general statutes, as
289 amended by section 90 of public act 03-115, is repealed and the
290 following is substituted in lieu thereof (*Effective from passage*):

291 (e) Any person [, other than an operator who has received a permit,]
292 who holds him or herself out to be the operator of a motor vehicle in
293 livery service who has not received a permit under this section or with
294 the intent to [obtain a benefit or to] injure or defraud another shall be
295 guilty of a class B misdemeanor.

296 Sec. 17. Subparagraph (A) of subdivision (2) of subsection (f) of
297 section 14-10 of the general statutes, as amended by section 7 of public
298 act 03-265, is repealed and the following is substituted in lieu thereof
299 (*Effective from passage*):

300 (A) In connection with matters of motor vehicle or driver safety and
301 theft, motor vehicle emissions, motor vehicle product alterations,
302 recalls or advisories, performance monitoring of motor vehicles and
303 dealers by motor vehicle manufacturers and removal of nonowner
304 records from the original owner records of motor vehicle
305 manufacturers to implement the provisions of the federal Automobile
306 Information Disclosure Act, 15 USC 1231 et seq., the Clean Air Act, 42
307 USC 7401 et seq., and 49 USC Chapters 301, 305 and 321 to 331,

308 inclusive, as amended from time to time, and any provision of the
309 general statutes enacted to attain compliance with said federal [acts]
310 provisions.

311 Sec. 18. Subsection (g) of section 14-16c of the general statutes, as
312 amended by section 8 of public act 03-265, is repealed and the
313 following is substituted in lieu thereof (*Effective from passage*):

314 (g) The Commissioner of Motor Vehicles shall adopt regulations, in
315 accordance with the provisions of chapter 54, to implement the
316 provisions of this section.

317 Sec. 19. Section 14-40a of the general statutes, as amended by section
318 4 of public act 03-171, is repealed and the following is substituted in
319 lieu thereof (*Effective from passage*):

320 (a) No person shall operate a motorcycle on any public highway of
321 this state until such person has obtained a motor vehicle operator's
322 license with a motorcycle endorsement from the commissioner.

323 (b) A person who is sixteen years of age or older and who has not
324 had such a license suspended or revoked may apply to the
325 commissioner for a training permit. The commissioner may issue a
326 training permit, containing such limitation as [he] said commissioner
327 deems advisable, to an applicant after the applicant has passed all
328 parts of the examination, other than the driving test, for a motor
329 vehicle operator's license with a motorcycle endorsement as required
330 by subsection [(e)] (c) of this section. The training permit shall entitle
331 the applicant, while [he has the permit in his] said applicant is in
332 immediate possession of said permit, to drive a motorcycle on the
333 public highways, other than multiple lane limited access highways, for
334 a period of sixty days. A training permit may be renewed, or a new
335 permit issued, for an additional period of sixty days. On and after
336 January 1, 1990, each applicant issued a training permit shall, while
337 operating a motorcycle, wear protective headgear of a type which
338 conforms to the minimum specifications established by regulations
339 adopted under subsection (b) of section 14-289g.

340 [(b)] (c) Before granting a motorcycle endorsement to any applicant
341 who has not held such an endorsement at any time within the
342 preceding two years, the commissioner shall require the applicant to
343 demonstrate personally to the commissioner, a deputy or a motor
344 vehicle inspector or an agent of the commissioner, in such manner as
345 the commissioner directs, that the applicant is a proper person to
346 operate a motorcycle, has sufficient knowledge of the mechanism of a
347 motorcycle to ensure its safe operation by such applicant, and has
348 satisfactory knowledge of the law concerning motorcycles and other
349 motor vehicles [.] and the rules of the road. On and after January 1,
350 1990, an applicant under the age of eighteen shall also demonstrate
351 that such applicant has successfully completed a novice motorcycle
352 training course offered by the Department of Transportation or
353 approved by the Commissioner of Motor Vehicles. If an applicant has
354 had a license or held such an endorsement from a state where a similar
355 examination or course is required, the commissioner may waive part
356 or all of any such requirement. When the commissioner is satisfied as
357 to the ability and competency of the applicant, the commissioner may
358 issue an endorsement to such applicant, either unlimited or containing
359 such limitations as the commissioner deems advisable. If an applicant
360 or motorcycle endorsement holder has any health problem which
361 might affect such person's ability to operate a motorcycle safely, the
362 commissioner may require the applicant or endorsement holder to
363 demonstrate personally that, notwithstanding the problem, such
364 person is a proper person to operate a motorcycle, and the
365 commissioner may further require a certificate of the applicant's
366 condition, signed by a medical authority designated by the
367 commissioner, which certificate shall, in all cases, be treated as
368 confidential by the commissioner. An endorsement, containing such
369 limitation as the commissioner deems advisable may be issued or
370 renewed in any case, but nothing in this section shall be construed to
371 prevent the commissioner from refusing an endorsement, either
372 limited or unlimited, to any person or suspending an endorsement of a
373 person whom the commissioner deems incapable of safely operating a
374 motorcycle.

375 [(c)] (d) No person shall operate a motorcycle in any manner in
376 violation of the limitations imposed in a limited endorsement issued to
377 such person.

378 [(d)] (e) Any person who violates any provision of subsection (a), (b)
379 or [(c)] (d) of this section shall, for a first offense, be deemed to have
380 committed an infraction and be fined not less than thirty-five dollars
381 nor more than fifty dollars and, for any subsequent offense, shall be
382 fined not more than one hundred dollars or imprisoned not more than
383 thirty days, or both.

384 Sec. 20. Subsection (v) of section 14-49 of the general statutes, as
385 amended by section 21 of public act 03-4 of the June 30 special session,
386 is repealed and the following is substituted in lieu thereof (*Effective*
387 *from passage*):

388 (v) There shall be charged for each motor vehicle learner's permit or
389 renewal thereof a fee of eighteen dollars. There shall be charged for
390 each motorcycle [learner's] training permit or renewal thereof a fee of
391 fifteen dollars.

392 Sec. 21. Section 14-69 of the general statutes, as amended by section
393 10 of public act 03-265, is repealed and the following is substituted in
394 lieu thereof (*Effective from passage*):

395 No person shall engage in the business of conducting a drivers'
396 school without being licensed therefor by the commissioner.
397 Application therefor shall be in writing and shall contain such
398 information as the commissioner requires. Each applicant shall be
399 fingerprinted before such application is approved. If the application is
400 approved, the applicant shall be granted a license upon the payment of
401 a fee of [one hundred] three hundred fifty dollars and a deposit with
402 the commissioner of cash or a bond of a surety company authorized to
403 do business in this state, conditioned on the faithful performance by
404 the applicant of any contract to furnish instruction, in either case in
405 such amount as the commissioner may require, such cash or bond to
406 be held by the commissioner to satisfy any execution issued against

407 such school in a cause arising out of failure of such school to perform
408 such contract. [The license fee shall be three hundred fifty dollars.] For
409 each additional place of business of such school, the commissioner
410 shall charge a fee of eighty-eight dollars. No license shall be required
411 in the case of any board of education, or any public, private or
412 parochial school, which conducts a course in driver education
413 established in accordance with sections 14-36e and 14-36f. A license so
414 issued shall be valid during the calendar year. The annual fee for
415 renewal shall be the same amount and the same deposit of security
416 shall be required. The commissioner shall issue a license certificate or
417 certificates to each licensee, one of which shall be displayed in each
418 place of business of the licensee. In case of the loss, mutilation or
419 destruction of a certificate, the commissioner shall issue a duplicate
420 upon proof of the facts and the payment of a fee of [two dollars. Such
421 fee shall be] seven dollars.

422 Sec. 22. (NEW) (*Effective July 1, 2004*) (a) There shall be in the
423 Department of Transportation a Connecticut Maritime Commission
424 which shall consist of fifteen members, as follows: (1) The
425 Commissioners of Transportation, Economic and Community
426 Development and Environmental Protection, the Secretary of the
427 Office of Policy and Management and the chairman of the
428 Transportation Strategy Board, established pursuant to section 13b-57e
429 of the general statutes, as amended, or their respective designees; (2)
430 four members appointed by the Governor; and (3) one member each
431 appointed by the president pro tempore of the Senate, the speaker of
432 the House of Representatives, the majority leader of the Senate, the
433 minority leader of the Senate, the majority leader of the House of
434 Representatives and the minority leader of the House of
435 Representatives. All appointed members shall serve for terms
436 coterminous with their appointing authority and until their successor
437 is appointed and has qualified. Vacancies on said commission shall be
438 filled for the remainder of the term in the same manner as original
439 appointments.

440 (b) Appointed members of the commission shall be qualified by

441 experience or training and shall include members of the public and (1)
442 a representative of business and industry that is a regular user of
443 Connecticut port freight services; (2) a member or employee of a local
444 port authority; (3) a Connecticut port operator; (4) an operator of a
445 marine passenger service; (5) an elected or appointed official from a
446 coastal community; (6) a user or provider of recreational maritime
447 services; and (7) a working member of a port labor union.

448 (c) The chairman shall be selected by the Governor from among the
449 appointed members of the commission. The members shall annually
450 elect one of their numbers as secretary. The commission may elect such
451 other officers as it deems proper. Members shall receive no
452 compensation for the performance of their duties, but shall be
453 reimbursed for necessary expenses incurred in the performance
454 thereof.

455 (d) The commission shall (1) advise the Commissioner of
456 Transportation, the Governor and the General Assembly concerning
457 the state's maritime policy and operations; (2) develop and
458 recommend to the Governor and the General Assembly a maritime
459 policy for the state; (3) support the development of Connecticut's
460 maritime commerce and industries, including its deep water ports; (4)
461 recommend investments and actions, including dredging, required in
462 order to preserve and enhanced maritime commerce and industries; (5)
463 conduct studies and present recommendations concerning maritime
464 issues; (6) support the development of Connecticut's ports, including;
465 identifying new opportunities for the ports, analyzing the potential for
466 and encouraging private investment in the ports and recommending
467 policies which support port operations.

468 (e) At least once each year, the commission shall hold a public
469 hearing for the purpose of evaluating the adequacy of the state's
470 maritime policy, facilities and support for maritime commerce and
471 industry.

472 (f) On or before January first, annually, the commission shall

473 submit, in writing, to the Commissioner of Transportation, the
474 Governor and the Transportation Strategy Board (1) a list of projects
475 which, if undertaken by the state, would support the state's maritime
476 policy and encourage maritime commerce and industry; (2)
477 recommendations for improvements to existing maritime policies,
478 programs and facilities; and (3) such other recommendations as it
479 considers appropriate. Copies of the report shall be submitted to the
480 General Assembly pursuant to section 11-4a of the general statutes.

481 (g) The commission may, upon its own motion, undertake any
482 studies it deems necessary for the improvement of a balanced public
483 transportation system within the state, including the improvement of
484 such system for elderly and disabled users. The commission shall have
485 other powers and shall perform such other duties as the Commissioner
486 of Transportation, the Governor and the General Assembly may
487 delegate to it.

488 (h) The staff of the Department of Transportation shall be available
489 to assist the commission.

490 (i) No member of the commission who is otherwise a public officer
491 or employee shall suffer a forfeiture of his or her office or employment,
492 or any loss or diminution in the rights and privileges pertaining
493 thereto, by reason of such membership.

494 (j) A quorum of the commission for the purpose of transacting
495 business shall exist only when there is present, in person, a majority of
496 its voting membership. The affirmative vote of a majority of the
497 quorum shall be required for the adoption of a resolution or vote of the
498 commission.

499 (k) The commission shall have access through the Department of
500 Transportation to all records, reports, plans, schedules, operating rules
501 and other documents pertaining to ports and navigable waterways of
502 Connecticut. This subsection shall not apply to any plans, proposals,
503 reports and other documents pertaining to current or pending
504 negotiations with employee bargaining units.

505 (l) The Connecticut Maritime Commission shall be a successor
506 agency to the Connecticut Port Authority in accordance with the
507 provisions of sections 4-38d and 4-39 of the general statutes.

508 (m) The Legislative Commissioners' Office shall, in codifying the
509 provisions of this section, make technical, grammatical and
510 punctuation changes as necessary to carry out the purposes of this
511 section.

512 Sec. 23. Subsection (l) of section 1-79 of the general statutes is
513 repealed and the following is substituted in lieu thereof (*Effective July*
514 *1, 2004*):

515 (l) "Quasi-public agency" means the Connecticut Development
516 Authority, Connecticut Innovations, Incorporated, Connecticut Health
517 and Education Facilities Authority, Connecticut Higher Education
518 Supplemental Loan Authority, Connecticut Housing Finance
519 Authority, Connecticut Housing Authority, Connecticut Resources
520 Recovery Authority, Connecticut Hazardous Waste Management
521 Service, Lower Fairfield County Convention Center Authority [,] and
522 Capital City Economic Development Authority. [and Connecticut Port
523 Authority.]

524 Sec. 24. Subdivision (1) of section 1-120 of the general statutes is
525 repealed and the following is substituted in lieu thereof (*Effective July*
526 *1, 2004*):

527 (1) "Quasi-public agency" means the Connecticut Development
528 Authority, Connecticut Innovations, Incorporated, Connecticut Health
529 and Educational Facilities Authority, Connecticut Higher Education
530 Supplemental Loan Authority, Connecticut Housing Finance
531 Authority, Connecticut Housing Authority, Connecticut Resources
532 Recovery Authority, Connecticut Hazardous Waste Management
533 Service, [Connecticut Port Authority,] Capital City Economic
534 Development Authority and Connecticut Lottery Corporation.

535 Sec. 25. Section 1-125 of the general statutes is repealed and the

536 following is substituted in lieu thereof (*Effective July 1, 2004*):

537 The directors, officers and employees of the Connecticut
538 Development Authority, Connecticut Innovations, Incorporated,
539 Connecticut Higher Education Supplemental Loan Authority,
540 Connecticut Housing Finance Authority, Connecticut Housing
541 Authority, Connecticut Resources Recovery Authority, Connecticut
542 Health and Educational Facilities Authority, Capital City Economic
543 Development Authority [,] and Connecticut Lottery Corporation [and
544 Connecticut Port Authority] and any person executing the bonds or
545 notes of the agency shall not be liable personally on such bonds or
546 notes or be subject to any personal liability or accountability by reason
547 of the issuance thereof, nor shall any director or employee of the
548 agency be personally liable for damage or injury, not wanton, reckless,
549 wilful or malicious, caused in the performance of his or her duties and
550 within the scope of his or her employment or appointment as such
551 director, officer or employee. The agency shall protect, save harmless
552 and indemnify its directors, officers or employees from financial loss
553 and expense, including legal fees and costs, if any, arising out of any
554 claim, demand, suit or judgment by reason of alleged negligence or
555 alleged deprivation of any person's civil rights or any other act or
556 omission resulting in damage or injury, if the director, officer or
557 employee is found to have been acting in the discharge of his or her
558 duties or within the scope of his or her employment and such act or
559 omission is found not to have been wanton, reckless, wilful or
560 malicious.

561 Sec. 26. (NEW) (*Effective July 1, 2004*) There shall be, within the
562 Department of Transportation, a State Maritime Office which shall: (1)
563 Be responsible for maritime operations, including the State Pier in New
564 London, the Connecticut River ferries and such other operational
565 responsibilities as shall be assigned to it; (2) serve as the Governor's
566 principal maritime policy advisor; (3) serve as the liaison between the
567 state and federal, local and private entities involved in maritime policy
568 activities; (4) coordinate the state's maritime policy activities; (5)
569 encourage year-round use of water-related industries; (6) work with

570 the Department of Economic and Community Development and other
571 state, local and private entities to maximize the economic potential of
572 Connecticut's ports and other maritime resources; (7) conduct
573 necessary research and planning activities; (8) assess potential state
574 investments in ports and other maritime facilities; (9) provide staff
575 support to the Connecticut Maritime Commission, created in section 23
576 of this act; and (10) undertake such other responsibilities as may be
577 assigned to it by the commissioner or the Governor.

578 Sec. 27. (*Effective from passage*) (a) The Commissioner of
579 Transportation shall, in consultation with the Commissioner of Public
580 Safety and the Chief Information Officer of the Department of
581 Information Technology, develop a plan for individuals to receive
582 notification of significant highway or railway incidents. The
583 Commissioner of Transportation shall develop such plan to include,
584 but not be limited to, the following: Such plan shall be (1) instituted on
585 a state-wide basis; (2) generally available to individuals with access to
586 electronic mail; (3) available at no cost to individuals or users; and (4)
587 in addition to any regional program or agreement, either public or
588 private, to track and inform individuals about significant highway or
589 railway incidents.

590 (b) On or before December 1, 2004, the Commissioner of
591 Transportation shall report to the joint standing committees of the
592 General Assembly having cognizance of matters relating to
593 transportation and public safety its findings and recommendations,
594 including proposals for legislative and regulatory changes.

595 Sec. 28. Subsection (a) of section 3 of public act 03-4 of the June 30
596 special session is repealed and the following is substituted in lieu
597 thereof (*Effective from passage*):

598 (a) The General Assembly approves the principles set forth in
599 section I of the report specified in subdivision (4) of subsection (a) of
600 section 13b-57d, as amended, provided no funds from the
601 Transportation Strategy Board projects account, established under

602 section 13b-57r, shall be authorized for any transportation project
603 except those specified in subsection (b) of this section, provided
604 nothing in this subsection shall preclude any TSB project from being
605 funded, in whole or in part, by other state or federal funds. Funds
606 authorized for any TSB project shall be used only for said project. TSB
607 projects shall be funded from funds authorized for the Transportation
608 Strategy Board only to the extent [such projects are not funded from
609 the Infrastructure Improvement Fund] such funding is not provided
610 from other funds in the Special Transportation Fund or the
611 Infrastructure Improvement Fund created by the senior indenture for
612 special tax obligation bonds.

613 Sec. 29. Subdivision (16) of subsection (b) of section 13b-61 of the
614 general statutes, as amended by section 20 of public act 03-4 of the June
615 30 special session, is repealed and the following is substituted in lieu
616 thereof (*Effective from passage*):

617 (16) On and after July 1, 2003, [and up to and including June 30,
618 2036,] all moneys received or collected by the state or any officer
619 thereof on account of, or derived from, the incremental revenues
620 generated pursuant to sections 1-1h, as amended, 14-35, as amended,
621 14-44i, as amended, 14-47, as amended, 14-48b, as amended, 14-49, as
622 amended, 14-50, as amended, 14-66, as amended, 14-67, as amended,
623 and 14-381, as amended, and revenues specified in sections 113 and
624 114 of public act 03-1 of the June 30 special session, as amended by this
625 act, shall be deposited into the Transportation Strategy Board projects
626 account, established under section 113 of public act 03-1 of the June 30
627 special session, of the [Infrastructure Improvement] Special
628 Transportation Fund and shall be used to support the funding of the
629 projects and purposes described in section 3 of [this act] public act 03-4
630 of the June 30 special session, as amended by this act.

631 Sec. 30. Subsection (a) of section 13b-69 of the general statutes is
632 repealed and the following is substituted in lieu thereof (*Effective from*
633 *passage*):

634 (a) The Treasurer shall apply the resources in the Special
635 Transportation Fund, upon their receipt, first, to pay or provide for the
636 payment of debt service requirements, as defined in section 13b-75, at
637 such time or times, in such amount or amounts and in such manner, as
638 provided by the proceedings authorizing the issuance of special tax
639 obligation bonds pursuant to sections 13b-74 to 13b-77, inclusive, as
640 amended, and then to pay from the Transportation Strategy Board
641 projects account of the Special Transportation Fund, established under
642 section 113 of public act 03-1 of the June 30 special session, the
643 incremental revenues identified in approved annual financing plans
644 for cash funding in accordance with the provisions of section 17 of
645 public act 03-4 of the June 30 special session, as amended by this act.

646 Sec. 31. Section 114 of public act 03-1 of the June 30 special session is
647 repealed and the following is substituted in lieu thereof (*Effective from*
648 *passage*):

649 (a) Notwithstanding any provision of the general statutes, for the
650 fiscal year ending June 30, 2004, the sum of \$10,000,000 [shall be
651 transferred from the resources of] on deposit in the Special
652 Transportation Fund [and] shall be credited to [the resources of] the
653 Transportation Strategy Board projects account established under
654 section 113 of [this act] public act 03-1 of the June 30 special session.

655 (b) Notwithstanding any provision of the general statutes, for the
656 fiscal year ending June 30, 2005, the sum of \$5,000,000 [shall be
657 transferred from the resources of] on deposit in the Special
658 Transportation Fund [and] shall be credited to [the resources of] the
659 Transportation Strategy Board projects account established under
660 section 113 of [this act] public act 03-1 of the June 30 special session.

661 (c) Notwithstanding any provision of the general statutes, on July 1,
662 2005, the sum of \$5,000,000 [shall be transferred from the resources of]
663 on deposit in the Special Transportation Fund [and] shall be credited
664 to [the resources of] the Transportation Strategy Board projects account
665 established under section 113 of [this act] public act 03-1 of the June 30

666 special session.

667 Sec. 32. (*Effective from passage*) The planned extension of the Route 72
668 current terminus in Plainville to Route 229 in Bristol shall be
669 designated the "E. Bartlett Barnes Highway".

670 Sec. 33. Section 13a-126c of the general statutes is repealed and the
671 following is substituted in lieu thereof (*Effective from passage*):

672 Notwithstanding any provision of the general statutes, [to the
673 contrary,] the Commissioner of Transportation may enter into an
674 agreement with the owner or operator of a public service facility, as
675 such facility is defined in section 13a-126, as amended, desiring the
676 longitudinal use of the right-of-way of a [limited access] state highway
677 to accommodate trunkline or transmission type utility facilities and to
678 fix the terms, conditions and rates and charges for use of such right-of-
679 way; provided, no such agreement shall exempt a public service
680 facility from the provisions of chapter 277a.

681 Sec. 34. (NEW) (*Effective July 1, 2004*) The Department of
682 Transportation shall allocate annually any amount transferred to the
683 Section 402 Highway Safety Grant Program, under the provisions of 23
684 USC 154, for hazard elimination activities eligible for funding under 23
685 USC 152. Two hundred thousand dollars of such amount shall be
686 allocated by said department during the fiscal year ending June 30,
687 2005, for system hardware, software licenses and configuration and
688 installation costs for a video incident responder system to disseminate
689 video transmissions from the Interstate 95 video camera network to
690 authorized law enforcement and emergency service personnel to better
691 coordinate responses to highway incidents.

692 Sec. 35. (*Effective July 1, 2004*) Sections 32-425 to 32-434, inclusive, of
693 the general statutes are repealed.

This act shall take effect as follows:	
Section 1	July 1, 2004

Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>from passage</i>
Sec. 7	<i>from passage</i>
Sec. 8	<i>October 1, 2004</i>
Sec. 9	<i>October 1, 2004</i>
Sec. 10	<i>from passage</i>
Sec. 11	<i>from passage</i>
Sec. 12	<i>from passage</i>
Sec. 13	<i>from passage</i>
Sec. 14	<i>from passage</i>
Sec. 15	<i>from passage</i>
Sec. 16	<i>from passage</i>
Sec. 17	<i>from passage</i>
Sec. 18	<i>from passage</i>
Sec. 19	<i>from passage</i>
Sec. 20	<i>from passage</i>
Sec. 21	<i>from passage</i>
Sec. 22	<i>July 1, 2004</i>
Sec. 23	<i>July 1, 2004</i>
Sec. 24	<i>July 1, 2004</i>
Sec. 25	<i>July 1, 2004</i>
Sec. 26	<i>July 1, 2004</i>
Sec. 27	<i>from passage</i>
Sec. 28	<i>from passage</i>
Sec. 29	<i>from passage</i>
Sec. 30	<i>from passage</i>
Sec. 31	<i>from passage</i>
Sec. 32	<i>from passage</i>
Sec. 33	<i>from passage</i>
Sec. 34	<i>July 1, 2004</i>
Sec. 35	<i>July 1, 2004</i>

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Transportation, Dept.	TF - Revenue Loss	(100,000)	(100,000)
Transportation, Dept.	FF - Section 402 Highway Safety Grant	See Below	See Below
Transportation, Dept.	TF - Cost	See Below	See Below

Note: TF=Transportation Fund; FF=Federal Fund

Municipal Impact: None

Explanation

Section 7 of the bill as amended repeals the ferry fare increase enacted by PA 03-1 of the September Special Session is anticipated to result in a revenue loss to the Transportation Fund of less than \$100,000 per year.

The bill as amended also eliminates the 2036 end date for certain fee increases that provide the incremental revenues that go into the Transportation Strategy Board (TSB) project account and makes them permanent. It also makes several technical changes to various provisions of the laws governing expenditures for TSB-related projects. There is no fiscal impact since the TSB account is within the Transportation Fund.

House "A" directs the Department of Transportation to earmark \$250,000 in FY 05 from funds transferred to Section 402 Highway Safety Grant (a federal grant) for hazard elimination for purposes of funding a video incident responder system. House "A" struck section 33 of the file copy that made technical changes to statute regarding mobile homes.

House "B" directs the Department of Transportation (DOT) to

include in the plan a statewide electronic email notification of traffic incidents at no cost to the public. There is a cost to the DOT to provide such service to the public free of charge but the magnitude of the cost is unknowable at this time.

All other remaining sections of the bill as amended make various technical changes, which have no fiscal impact.

OLR Bill Analysis

sHB 5031 (as amended by House "A" and "B")*

AN ACT REVISING CERTAIN LAWS OF THE DEPARTMENT OF TRANSPORTATION**SUMMARY:**

This bill makes numerous changes to laws affecting the Department of Transportation (DOT) and the Connecticut Transportation Strategy Board (TSB). It:

1. (a) creates a Connecticut Maritime Commission to advise the transportation commissioner, governor, and legislature and create a maritime policy for the state and (b) abolishes the current Connecticut Port Authority;
2. creates a State Maritime Office within the DOT;
3. reverses the fare increases for use of the state-owned Glastonbury-Rocky Hill and Chester-Hadlyme ferries across the Connecticut River that were increased during the June 2003 Special Session;
4. eliminates the 2036 end date for the TSB projects account receiving certain fee increases (known as "incremental revenues") made during the June 2003 Special Session and that the TSB uses to fund the projects and programs that the legislature has identified as priorities;
5. raises, from \$1,000 to \$5,000, the threshold above which DOT property acquisitions and settlements must be reviewed and approved by the State Properties Review Board;
6. expands the transportation commissioner's authority to make agreements with public utilities governing the longitudinal use of highway rights-of-way to include all state highways, instead of only state limited-access highways;
7. makes annual inspection of all rail lines in Connecticut by the transportation commissioner discretionary rather than mandatory;
8. requires the transportation commissioner to consult with the public safety commissioner and the chief information officer of the Department of Information Technology and develop a plan for people to receive notification of significant highway and railway incidents;

9. requires DOT to allocate annually any amount of federal funds transferred to the Section 402 highway safety grant program pursuant to the federally mandated open container law "penalty transfer" for hazard elimination activities and earmarks \$200,000 of any such amount for FY 2004-05 for hardware, software, and other costs for a video incident responder system for I-95 to aid in coordinating emergency responses to highway incidents;
10. allows the commissioner to issue overlength permits to vehicles carrying divisible loads that, in the aggregate, do not exceed 53 feet in length;
11. conforms Connecticut law establishing the maximum allowable length of a truck and trailer combination to mandatory federal requirements;
12. allows TSB projects to be funded from other available TSB funds to the extent money is not available from either the Special Transportation Fund (STF) or the Infrastructure Improvement Fund, rather than just the latter;
13. makes payment of the incremental revenues identified in the approved annual financing plan for cash funding of TSB projects the second allocation priority for STF resources after payment of debt service on special tax obligation bonds but before debt service on general obligation bonds issued for transportation purposes and agency expenses;
14. modifies and corrects references to prior commemorative name designations of two highways, a tunnel, and a bridge made by PA 03-115;
15. names the planned extension of Route 72 from its current terminus in Plainville to Route 229 in Bristol as the "E. Bartlett Barnes Highway" (see COMMENT); and
16. makes numerous technical and conforming changes.

*House Amendment "A" deletes a provision making corrections and changes to the law requiring DOT to issue overdimension permits for certain types of mobile homes and adds the provision on the use of penalty transfer funds.

*House Amendment "B" adds the descriptive elements for the incident notification program DOT must develop

EFFECTIVE DATE: Upon passage, except for the provisions relating to the creation of the maritime commission and maritime office, abolition of the Connecticut Port Authority, allocation of penalty

transfer funds, and properties review board approval threshold, which are effective July 1, 2004 and the provisions relating to the truck-trailer length, divisible load length permits, and mobile home overdimension permits, which are effective October 1, 2004.

CONNECTICUT MARITIME COMMISSION

Purpose

The bill creates a 15-member Connecticut Maritime Commission in the DOT to (1) advise the commissioner, governor, and legislature on maritime policy and operations; (2) develop and recommend maritime policy to the governor and legislature; (3) support development of Connecticut's maritime commerce and industries, including its deepwater ports; (4) recommend investments and actions, including dredging, required to preserve and enhance them; (5) conduct studies and make recommendations on maritime issues; and (6) support Connecticut port development, including identifying new opportunities, analyzing the potential for and encouraging private port investment, and recommending policies that support port operations.

The bill designates the commission as the successor to the Connecticut Port Authority and abolishes the authority.

Membership

The commission consists of the transportation, economic and community development, and environmental protection commissioners, policy and management secretary, and TSB chairman, or their designees; four members appointed by the governor; and six members appointed, one each, by the Senate president, House speaker, and House and Senate majority and minority leaders. Appointed members must be qualified by experience and training, and include members of the public and (1) a business and industry representative that regularly uses Connecticut port freight services, (2) a member or employee of a local port authority, (3) a Connecticut port operator, (4) a marine passenger service operator, (5) an elected or appointed official from a coastal community, (6) a user or provider of recreational marine services, and (7) a working member of a port labor union.

The governor must select the chairman from among the appointed members. The members must elect a secretary and may elect any other

officers they see fit. Members are not compensated for their service, except for necessary expenses.

Annual Report and Other Duties

The commission must hold a public hearing each year for the purpose of evaluating adequacy of the state's maritime policy, facilities, and support for maritime commerce and industry. By January 1 annually, it must submit a written report to the transportation commissioner, governor, and TSB with: (1) a list of projects that, if undertaken, would support the maritime policy and encourage maritime commerce and industry; (2) recommendations for improving maritime policies, programs, and facilities; and (3) other appropriate recommendations. The report must be submitted to the legislature in accordance with state law for state commission reports.

The bill authorizes the commission to undertake any studies it finds necessary for the improvement of a balanced public transportation system in Connecticut, including its improvement for elderly and disabled users. It also has such other powers and duties as the commissioner, governor, and legislature delegate to it.

Miscellaneous Provisions

The DOT staff must be available to assist the commission. The commission must also have access through the DOT to all records, reports, plans, schedules, operating rules, and other documents pertaining to Connecticut ports and navigable waterways, except those pertaining to current or pending negotiations with employee bargaining units.

A commission member who is also a public officer or employee may not suffer forfeiture of his office or employment or any loss of rights and privileges by reason of membership.

To conduct business, the commission must have a quorum of a majority of its voting membership present. Actions may be taken by vote of a majority of the quorum.

STATE MARITIME OFFICE

The State Maritime Office the bill creates in the DOT must (1) be

responsible for maritime operations, including the State Pier, Connecticut River Ferries, and other operational responsibilities it is assigned; (2) serve as the governor's principal maritime policy advisor and the liaison between federal, state, local, and private entities involved in maritime policy activities; (3) coordinate state maritime policy activities; (4) encourage year-round use of water-related industries; (5) work with the Department of Economic and Community Development and state, local, and private entities to maximize the economic potential of Connecticut's ports and maritime resources; (6) conduct necessary planning and research; (7) assess potential state investments in ports and maritime facilities; (8) provide staff support to the maritime commission; and (9) undertake other responsibilities assigned by the commissioner or governor.

CONNECTICUT RIVER FERRY FARE INCREASES

The bill restores the transportation commissioner's authority to set the fares for the Glastonbury-Rocky Hill and Chester-Hadlyme ferries. During the June 2003 Special Session, the legislature required specific increases in these fares to \$5 per vehicle, \$1.75 for each additional passenger, and \$1.75 for each walk-on and bicycle. The bill eliminates these specific increases and, instead, allows rates to be fixed by the transportation commissioner with the approval of the OPM secretary, which was the law prior to the specific increases. A provision of the law allowing the commissioner to establish a discounted commuter rate that was added by PA 03-1, September Special Session remains unchanged.

RAIL LINE INSPECTIONS

Current law requires the transportation commissioner to inspect all rail lines in Connecticut at least once a year. The bill makes this discretionary rather than mandatory. The Federal Railroad Administration also conducts annual track inspections and provides their inspection reports to DOT.

HIGHWAY AND RAILWAY INCIDENT NOTIFICATION PLAN

The highway and railway incident notification plan the transportation commissioner must develop in consultation with the public safety commissioner and the chief information officer of the Department of Information Technology must be (1) instituted statewide, (2) generally

available to anyone with e-mail, (3) free of charge for users, and (4) additional to any regional public or private program or agreement to track and inform individuals about significant highway or railway incidents.

ALLOCATION OF PENALTY TRANSFER FUNDS FOR HAZARD ELIMINATION PROJECTS

Federal law penalizes states that do not pass and enforce laws prohibiting possession of open containers of alcohol by any occupants in the passenger compartment of a motor vehicle. The sanction requires 3% of federal funds apportioned annually under three highway construction programs to be transferred to the state's highway safety grant program. The funds are not lost to the state. However, they may only be used for certain purposes, specifically (1) behavioral programs directed toward alcohol-impaired driving countermeasures or enforcement of impaired driving laws or (2) activities that are eligible expenditures under the hazard elimination program. The DOT may allocate all or part of the transferred federal funds to hazard elimination.

The bill (1) directs DOT to allocate all of the funds subject to this transfer annually to hazard elimination activities, and (2) requires \$200,000 of the transferred amount to be allocated by DOT in FY 2004-05 for system hardware, software licenses, and configuration and installation costs for a video incident responder system to disseminate video transmissions from the I-95 video camera network to authorized law enforcement and emergency service personnel to better coordinate responses to highway incidents.

TRUCK-TRAILER LENGTH LIMIT

Current law prohibits a combination of a truck and trailer that is longer than 60 feet unless it falls within one of several specific exemptions, most of which are required under federal law. The bill increases the general limit from 60 to 65 feet to conform with a mandatory federal regulation that generally prohibits combination length limits under 65 feet.

COMMEMORATIVE ROAD AND BRIDGE NAMES

Corrections to Prior Designations

The bill corrects the name for the West Rock tunnel in New Haven from the “Hero’s Tunnel” to the “Heroes Tunnel.” It changes one terminus of the portion of Route 173 in West Hartford that was designated as the “Trooper Carl P. Moller Memorial Highway” from the junction for Route 4 to the junction of Route 71 in West Hartford. It changes the designation made for the “Patrick L. Brooks Memorial Bridge” from Bridge No. 3485 in West Hartford on I-84 overpassing Woodruff Road to Bridge No. 1743A in West Hartford on I-84 overpassing SR 535. Finally, it makes a technical correction to the designation of Route 349 in Groton as the William J. Snyder, Sr. Memorial Highway.

BACKGROUND

Legislative History

The bill was referred by the House to the Legislative Management Committee on April 13 and the Government Administration and Elections Committee on April 21. The two committees reported it favorably with no changes on April 20 and April 21, respectively.

Related Bill

HB 5480, passed by the House on April 27, among other things, contains the same provisions regarding the allocation priority of incremental revenue for TSB projects, allowing TSB projects to be funded from other available TSB funds to the extent money is not available from the STF or the Infrastructure Improvement Fund, and the technical changes contained in §§ 28, 30, and 31 of this bill.

COMMENT

Possible Conflict with Prior Naming of Route 72 Extension

The bill names the planned extension of Route 72 to Route 229 in Bristol the “E. Bartlett Barnes Highway.” However, by prior act of the legislature (PA 99-181 § 27) this same planned extension has previously been named the “Bristol Expressway.”

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute Change of Reference

Yea 27 Nay 0

Finance, Revenue and Bonding Committee

Joint Favorable Substitute

Yea 45 Nay 0

Joint Committee on Legislative Management

Joint Favorable Report

Yea 21 Nay 0

Government Administration and Elections Committee

Joint Favorable Report

Yea 13 Nay 0